

Remarks

In the outstanding Official Action, the Examiner:

(1) indicated that the oath or declaration is defective and that a new oath or declaration in compliance with 37 CFR 1.67(a) is required;

(2) rejected claims 1-8 under 35 USC 101 because the claimed invention is directed to non-statutory subject matter; and

(3) rejected claims 1-8 under 35 USC 102(e) as being anticipated by Rapoza et al. (U.S. Patent No. 6,561,811) ("Rapoza").

In response to Item 1 above, Applicants are hereby submitting a substitute DECLARATION AND POWER OF ATTORNEY document which states that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56, as required by the Examiner. The substitute declaration is signed by the inventors, Michal Hlavac, Juraj Hlavac and Milos Hlavac. Applicants note that they have not yet been able to obtain the signatures of the inventors, Senia Maymin, Cynthia Breazeal and Dennis Bromley, however, Applicants will continue their efforts to obtain the signatures from these inventors and will submit the executed declaration upon receipt.

In response to Items 2 and 3 above, Applicants have amended claim 1 in order to clarify the claim and provide concrete limitations to the claim. Applicants believe that the amendments to claim 1 adequately address the Examiner's rejections under 35 USC 101.

In addition, Applicants respectfully disagree with the Examiner's indication that claims 1-8 are anticipated by Rapoza.

More particularly, Applicants believe that the computer game of Rapoza is significantly different than the present invention as it is recited in amended claim 1.

More particularly, claim 1 has been amended to recite the limitations that (1) the virtual character is capable of learning a new skill, and (2) teaching is effected by (i) prompting the individual to explicitly teach the desired skill to a virtual character within a virtual environment and (ii) providing a positive response to the individual when the virtual character learns the desired skill.

Applicants do not believe that the player (i.e., an individual) in Rapoza teaches a skill to a virtual character nor that the virtual characters in Rapoza are capable of learning a desired skill from an individual.

Instead, Applicants believe that the player in Rapoza "role-plays" with a virtual character experiencing drug abuse and learns about the effects of drug abuse through the virtual character's behavior and interactions with other virtual characters.

In other words, with Rapoza, the player learns through a passive process, i.e., through a virtual character's experience with drugs; with Applicants' invention, the individual learns through an active process, i.e., by teaching a virtual character a new skill. Thus, Applicants do not believe that Rapoza teaches the invention claimed by Applicants.

Accordingly, Applicants believe that claim 1 is in condition for allowance, and allowance thereof is respectfully requested.

In addition, claims 2 and 4-8, which depend from claim 1, either directly or indirectly, are believed to be allowable at least through dependency.

Thus, Applicants believe that this patent application is now in condition for allowance, and allowance thereof is respectfully requested.

In the event that any fees may be required in this matter, please charge the same to Deposit Account No. 16-0221.

Thank you.

Respectfully submitted,



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